

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO: 5:10-CV-00538-FL**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
v.)
)
DANIEL C. UBA,)
)
Defendant.)

)

ORDER

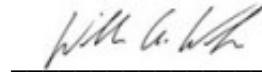
This Cause comes before the Court upon Defendant's "Motion to Move Location of Settlement Conference" [DE-22], referred to the undersigned on July 21, 2011. The Government opposes the motion. [DE-24]. The settlement conference is currently scheduled before the undersigned for Friday, August 12, 2011 at 9:00 a.m. in the Fifth Floor Courtroom of the Terry Sanford Federal Building, 310 New Bern Avenue, Raleigh, North Carolina. [DE-21]. Defendant requests that the site of the settlement conference be moved to the Fayetteville Federal Courthouse at 301 Green Street, Fayetteville, Cumberland County, North Carolina. In support of his motion, Defendant states he is a resident and physician practicing in Cumberland County. Setting the settlement conference in Fayetteville would lessen his expenses and costs, as well as reduce the time spent away from his medical practice treating patients. The Government articulates no obstacle to Defendant's request other than its objection to moving the site location for the "sole convenience of one party." [DE-24].

The undersigned cannot accommodate Defendant's request unless the settlement conference is rescheduled. The undersigned finds that the parties are available Thursday, August

11, 2011. Defendant's motion to move the location of the settlement conference [DE-22] is therefore GRANTED. The settlement conference will take place on Thursday, August 11, 2011, at 9:00 a.m. in the Fayetteville Federal Courthouse at 301 Green Street, Fayetteville, Cumberland County, North Carolina.

The parties are reminded that **no later than August 5, 2011**, each party shall provide the undersigned, in confidence, a concise statement of the relative positions of the parties concerning factual issues, issues of law, damages, the settlement negotiation history of the case and the evidence the party expects to produce at trial. The settlement statement shall not exceed five (5) pages in length and will not become part of the court record. The settlement statement shall be sent directly to the undersigned at: documents-USMJ_Webb@nced.uscourts.gov. Defendant's "Motion to Move Location of Settlement Conference" [DE-22] is hereby GRANTED.

DONE AND ORDERED in Chambers at Raleigh, North Carolina on Friday, July 22, 2011.



WILLIAM A. WEBB
UNITED STATES MAGISTRATE JUDGE